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1 JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

2 BRIAN J. STRETCH (CABN 163973)
3 Chief, Criminal Division

4 OWEN P. MARTIKAN (CSBN 177104)
Assistant United States Attorneys

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102
Telephone: (415) 436-7241
7 Facsimile: (415) 436-7234
owen.martikan@usdoj.gov

8 Attorneys for Plaintiff

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

CR No.: 3-08-70181 MAG

14)
15 Plaintiff,

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME

16 v.

17 PETER RAYMOND JUNEAU,

18 Defendant.
19

20
21 On May 13, 2008, the parties in this case appeared before the Court for a preliminary
22 hearing. At that time, the parties requested and the Court agreed to continue the hearing to May
23 27, 2008. The parties further stipulated that pursuant to Federal Rule of Criminal Procedure
24 (FRCP) 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from May 13, 2008, to and
25 including May 27, 2008. The parties agree that – taking into account the public interest in
26 prompt disposition of criminal cases – good cause exists for this extension. Defendant also
27 agrees to exclude for this period of time any time limits applicable under Title 18, United States
28 Code, Section 3161. This continuance is the reasonable time necessary for continuity of defense

STIP. & ~~PROPOSED~~ ORDER EXCLUDING TIME
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1 counsel and effective preparation of defense counsel, taking into account the exercise of due
2 diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice
3 served by granting such a continuance outweigh the best interests of the public and the defendant
4 in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

5 SO STIPULATED:

6 JOSEPH P. RUSSONIELLO
United States Attorney

7
8 DATED: 5/16/08

9 OWEN P. MARTIKAN
Assistant United States Attorney

10 DATED: 5.16.08

11 RONALD C. TYLER
Attorney for Peter Raymond Juneau

12
13 **[PROPOSED] ORDER**

14 For the reasons stated above, the Court finds that an exclusion of time from May 13, 2008, to
15 and including May 27, 2008, is warranted and that the ends of justice served by the continuance
16 outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C.
17 §3161 (h)(8)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny Mr.
18 Juneau continuity of counsel and would deny defense counsel the reasonable time necessary for
19 effective preparation, taking into account the exercise of due diligence, and would result in a
20 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

21 SO ORDERED.

22 DATED: 5/19/08

23
24 HON. EDWARD M. CHEN
United States Magistrate Judge